

FILED**ORIGINAL
PLEASE SERVE AND
RETURN**

AVS0350

MAY 8 2006
DAVID S. NIX, CLERK
BARBOUR CO. ALABAMAALABAMA JUDICIAL DATA CENTER
BARBOUR COUNTY

SUMMONS

CV 2006 000035.00

IN THE CIRCUIT COURT OF BARBOUR COUNTY

ELLA JANE MCCRAY VS CITY OF EUFAULA, STEVE HANNERS & DAVID DUBOSE

SERVE ON: (D003)

SSN: 000-00-0000

DUBOSE DAVID
EUFAULA POLICE DEPARTMENT
545 EAST BARBOUR ST
EUFAULA, AL 36027-0000

PLAINTIFF'S ATTORNEY

MEREDITH BENJAMIN EARL
707 W MAIN STREET

DOTHAN, AL 36301-1559

TO THE ABOVE NAMED DEFENDANT:

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS, YOU OR YOUR ATTORNEY ARE REQUIRED TO MAIL OR HAND DELIVER A COPY OF A WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT TO THE PLAINTIFFS ATTORNEY(S) SHOWN ABOVE OR ATTACHED:

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGEMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT. YOU MUST ALSO FILE THE ORIGINAL OF YOUR ANSWER WITH THE CLERK OF THIS COURT.

(✓) TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY EITHER RULES 4.1(B)(2) OR 4.2(B)(2) OR 4.4(B)(2) OF THE ALABAMA RULES OF CIVIL PROCEDURE: YOU ARE HEREBY COMMANDED TO SERVE THIS SUMMONS AND A COPY OF THE COMPLAINT IN THIS ACTION UPON DEFENDANT.

() THIS SERVICE BY CERTIFIED MAIL OF THIS SUMMONS IS INITIATED UPON THE WRITTEN REQUEST OF _____ PURSUANT TO RULE 4.1(C) OF THE ALABAMA RULES OF CIVIL PROCEDURE.

DATE: 03/08/2006

David S. Nix
CLERK: DAVID S. NIX
303 E BROAD ST, ROOM 201
EUFAULA AL 36027
(334)687-1515

RETURN ON SERVICE:

() CERTIFIED MAIL RETURN RECEIPT IN THIS OFFICE ON (DATE) _____ (RETURN RECEIPT HERETO ATTACHED)

(X) I CERTIFY THAT I PERSONALLY DELIVERED A COPY OF THE SUMMONS AND COMPLAINT TO I certify this to be a true and correct copy of the left at DA's office at

IN Barbours original which is on file COUNTY, ALABAMA ON (DATE) 3-9-06

DATE in Clayton or Eufaula, Barbours County, Alabama

David S. Nix
SERVER SIGNATURE

SERVER ADDRESS Witness my hand and seal this 29th day of March 2006

David S. Nix
TYPE OF PROCESS SERVER

OPERATOR: DEH
PREPARED: 03/08/2006

David S. Nix
David S. Nix, Clerk

FILED

MAR 8 2006

ALABAMA JUDICIAL DATA CENTER
BARBOUR COUNTY

SUMMONS

**ORIGINAL
PLEASE SERVE AND
RETURN**

AVS0350

DAVID S. NIX, CLERK
BARBOUR CO. ALABAMA

CV 2006 000035.00

IN THE CIRCUIT COURT OF BARBOUR COUNTY

ELLA JANE MCCRAY VS CITY OF EUFAULA, STEVE HANNERS & DAVID DUBOSE

SERVE ON: (D002)

SSN: 000-00-0000

HANNERS STEVE
EUFAULA POLICE DEPARTMENT
545 EAST BARBOUR ST
EUFAULA, AL 36027-0000

PLAINTIFF'S ATTORNEY

MEREDITH BENJAMIN EARL
707 W MAIN STREET

DOTHAN, AL 36301-1559

TO THE ABOVE NAMED DEFENDANT:

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS, YOU OR YOUR ATTORNEY ARE REQUIRED TO MAIL OR HAND DELIVER A COPY OF A WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT TO THE PLAINTIFFS ATTORNEY(S) SHOWN ABOVE OR ATTACHED:

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGEMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT. YOU MUST ALSO FILE THE ORIGINAL OF YOUR ANSWER WITH THE CLERK OF THIS COURT.

() TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY EITHER RULES 4.1(B)(2) OR 4.2(B)(2) OR 4.4(B)(2) OF THE ALABAMA RULES OF CIVIL PROCEDURE: YOU ARE HEREBY COMMANDED TO SERVE THIS SUMMONS AND A COPY OF THE COMPLAINT IN THIS ACTION UPON DEFENDANT.

() THIS SERVICE BY CERTIFIED MAIL OF THIS SUMMONS IS INITIATED UPON THE WRITTEN REQUEST OF _____ PURSUANT TO RULE 4.1(C) OF THE ALABAMA RULES OF CIVIL PROCEDURE.

DATE: 03/08/2006

David S. Nix
CLERK: DAVID S. NIX
303 E BROAD ST. ROOM 201
EUFAULA AL 36027
(334)687-1515

RETURN ON SERVICE:

() CERTIFIED MAIL RETURN RECEIPT IN THIS OFFICE ON (DATE) _____
(RETURN RECEIPT HERETO ATTACHED)

X I CERTIFY THAT I PERSONALLY DELIVERED A COPY OF THE SUMMONS AND COMPLAINT TO Steve Hanners

IN Barbour COUNTY, ALABAMA ON (DATE) _____

DATE 3-9-06SERVER SIGNATURE *[Signature]*

SERVER ADDRESS _____

TYPE OF PROCESS SERVER Dep. Sheriff

OPERATOR: DEH
PREPARED: 03/08/2006

AVS0350

FILED

MAR 8 2006

ALABAMA JUDICIAL DATA CENTER
BARBOUR COUNTY

SUMMONS

**ORIGINAL
PLEASE SERVE AND
RETURN**

CV 2006-000035.00

DAVID S. NIX, CLERK
BARBOUR CO. ALABAMA

IN THE CIRCUIT COURT OF BARBOUR COUNTY

ELLA JANE MCCRAY VS CITY OF EUFAULA, STEVE HANNERS & DAVID DUBOSE

SERVE ON: (D001)

SSN: 000-00-0000

CITY OF EUFAULA
JOY WHITE, CITY CLERK
205 EAST BARBOUR ST
EUFAULA, AL 36027-0000

PLAINTIFF'S ATTORNEY

MEREDITH BENJAMIN EARL
707 W MAIN STREET

DOTHAN, AL 36301-1559

TO THE ABOVE NAMED DEFENDANT:

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO MAIL OR HAND DELIVER A COPY OF A WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT TO THE PLAINTIFFS ATTORNEY(S) SHOWN ABOVE OR ATTACHED:

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGEMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT. YOU MUST ALSO FILE THE ORIGINAL OF YOUR ANSWER WITH THE CLERK OF THIS COURT.

- () TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY EITHER RULES 4.1(B)(2) OR 4.2(B)(2) OR 4.4(B)(2) OF THE ALABAMA RULES OF CIVIL PROCEDURE: YOU ARE HEREBY COMMANDED TO SERVE THIS SUMMONS AND A COPY OF THE COMPLAINT IN THIS ACTION UPON DEFENDANT.
- () THIS SERVICE BY CERTIFIED MAIL OF THIS SUMMONS IS INITIATED UPON THE WRITTEN REQUEST OF _____ PURSUANT TO RULE 4.1(C) OF THE ALABAMA RULES OF CIVIL PROCEDURE

DATE: 03/08/2006

David S. Nix
CLERK: DAVID S. NIX
303 E BROAD ST, ROOM 201
EUFAULA AL 36027
(334)687-1515

RETURN ON SERVICE:

- () CERTIFIED MAIL RETURN RECEIPT IN THIS OFFICE ON (DATE) _____
(RETURN RECEIPT HERETO ATTACHED)

- (X) I CERTIFY THAT I PERSONALLY DELIVERED A COPY OF THE SUMMONS AND COMPLAINT TO Joy White

IN Barbour COUNTY, ALABAMA ON (DATE) 3-9-06DATE _____ SERVER SIGNATURE *[Signature]*

SERVER ADDRESS _____ TYPE OF PROCESS SERVER _____

AVS0350

FILEDALABAMA JUDICIAL DATA CENTER
BARBOUR COUNTY

MAR 8 2006

SUMMONS

CV 2006 000035.00

DAVID S. NIX, CLERK
BARBOUR CO. ALABAMA

IN THE CIRCUIT COURT OF BARBOUR COUNTY

ELLA JANE MCCRAY VS CITY OF EUFAULA, STEVE HANNERS & DAVID DUBOSE

SERVE ON: (D001)

SSN: 000-00-0000

PLAINTIFF'S ATTORNEY

CITY OF EUFAULA
JOY WHITE, CITY CLERK
205 EAST BARBOUR ST
EUFAULA, AL 36027-0000MEREDITH BENJAMIN EARL
707 W MAIN STREET

DOTHAN, AL 36301-1559

TO THE ABOVE NAMED DEFENDANT:

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS, YOU OR YOUR ATTORNEY ARE REQUIRED TO MAIL OR HAND DELIVER A COPY OF A WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT TO THE PLAINTIFFS ATTORNEY(S) SHOWN ABOVE OR ATTACHED:

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGEMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT. YOU MUST ALSO FILE THE ORIGINAL OF YOUR ANSWER WITH THE CLERK OF THIS COURT.

- () TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY EITHER RULES 4.1(B)(2) OR 4.2(B)(2) OR 4.4(B)(2) OF THE ALABAMA RULES OF CIVIL PROCEDURE: YOU ARE HEREBY COMMANDED TO SERVE THIS SUMMONS AND A COPY OF THE COMPLAINT IN THIS ACTION UPON DEFENDANT.
- () THIS SERVICE BY CERTIFIED MAIL OF THIS SUMMONS IS INITIATED UPON THE WRITTEN REQUEST OF _____ PURSUANT TO RULE 4.1(C) OF THE ALABAMA RULES OF CIVIL PROCEDURE

DATE: 03/08/2006

David S. Nix
CLERK: DAVID S. NIX
303 E BROAD ST, ROOM 201
EUFAULA AL 36027
(334)687-1515

RETURN ON SERVICE:

- () CERTIFIED MAIL RETURN RECEIPT IN THIS OFFICE ON (DATE) _____
(RETURN RECEIPT HERETO ATTACHED)
- () I CERTIFY THAT I PERSONALLY DELIVERED A COPY OF THE SUMMONS AND COMPLAINT TO _____
IN _____ COUNTY, ALABAMA ON (DATE) _____

DATE _____

SERVER SIGNATURE _____

SERVER ADDRESS _____

TYPE OF PROCESS SERVER _____

FILED

AVS0350

MAR 8 2006

ALABAMA JUDICIAL DATA CENTER
BARBOUR COUNTY

DAVID S. NIX, CLERK
BARBOUR CO. ALABAMA

SUMMONS

CV 2006 000035.00

IN THE CIRCUIT COURT OF BARBOUR COUNTY

ELLA JANE MCCRAY VS CITY OF EUFAULA, STEVE HANNERS & DAVID DUBOSE

SERVE ON: (D002)

SSN: 000-00-0000

HANNERS STEVE
EUFAULA POLICE DEPARTMENT
545 EAST BARBOUR ST
EUFAULA, AL 36027-0000

PLAINTIFF'S ATTORNEY

MEREDITH BENJAMIN EARL
707 W MAIN STREET

DOTHAN, AL 36301-1559

TO THE ABOVE NAMED DEFENDANT:

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS, YOU OR YOUR ATTORNEY ARE REQUIRED TO MAIL OR HAND DELIVER A COPY OF A WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT TO THE PLAINTIFFS ATTORNEY(S) SHOWN ABOVE OR ATTACHED:

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGEMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT. YOU MUST ALSO FILE THE ORIGINAL OF YOUR ANSWER WITH THE CLERK OF THIS COURT.

(✓) TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY EITHER RULES 4.1(B)(2) OR 4.2(B)(2) OR 4.4(B)(2) OF THE ALABAMA RULES OF CIVIL PROCEDURE: YOU ARE HEREBY COMMANDED TO SERVE THIS SUMMONS AND A COPY OF THE COMPLAINT IN THIS ACTION UPON DEFENDANT.

() THIS SERVICE BY CERTIFIED MAIL OF THIS SUMMONS IS INITIATED UPON THE WRITTEN REQUEST OF _____ PURSUANT TO RULE 4.1(C) OF THE ALABAMA RULES OF CIVIL PROCEDURE.

DATE: 03/08/2006

CLERK: DAVID S. NIX
303 E BROAD ST, ROOM 201
EUFAULA, AL 36027
(334)687-1515

RETURN ON SERVICE:

() CERTIFIED MAIL RETURN RECEIPT IN THIS OFFICE ON (DATE) _____
(RETURN RECEIPT HERETO ATTACHED)

() I CERTIFY THAT I PERSONALLY DELIVERED A COPY OF THE SUMMONS AND COMPLAINT TO _____
IN _____ COUNTY, ALABAMA ON (DATE) _____

DATE _____ SERVER SIGNATURE _____

SERVER ADDRESS _____ TYPE OF PROCESS SERVER _____

OPERATOR: DEH
PREPARED: 03/08/2006

FILED

MAR 8 2006

AVS0350

**DAVID S. NIX, CLERK
BARBOUR CO. ALABAMA**ALABAMA JUDICIAL DATA CENTER
BARBOUR COUNTY

SUMMONS

CV 2006 000035.00

IN THE CIRCUIT COURT OF BARBOUR COUNTY
ELLA JANE MCCRAY VS CITY OF EUFAULA, STEVE HANNERS & DAVID DUBOSE

SERVE ON: (D003)

SSN: 000-00-0000

DUBOSE DAVID
EUFAULA POLICE DEPARTMENT
545 EAST BARBOUR ST
EUFAULA, AL 36027-0000

PLAINTIFF'S ATTORNEY

MEREDITH BENJAMIN EARL
707 W MAIN STREET

DOTHAN, AL 36301-1559

TO THE ABOVE NAMED DEFENDANT:

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS, YOU OR YOUR ATTORNEY ARE REQUIRED TO MAIL OR HAND DELIVER A COPY OF A WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT TO THE PLAINTIFFS ATTORNEY(S) SHOWN ABOVE OR ATTACHED:

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGEMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT. YOU MUST ALSO FILE THE ORIGINAL OF YOUR ANSWER WITH THE CLERK OF THIS COURT.

(✓) TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY EITHER RULES 4.1(B)(2) OR 4.2(B)(2) OR 4.4(B)(2) OF THE ALABAMA RULES OF CIVIL PROCEDURE: YOU ARE HEREBY COMMANDED TO SERVE THIS SUMMONS AND A COPY OF THE COMPLAINT IN THIS ACTION UPON DEFENDANT.

() THIS SERVICE BY CERTIFIED MAIL OF THIS SUMMONS IS INITIATED UPON THE WRITTEN REQUEST OF _____ PURSUANT TO RULE 4.1(C) OF THE ALABAMA RULES OF CIVIL PROCEDURE.

DATE: 03/08/2006

David S. Nix
CLERK: DAVID S. NIX
303 E BROAD ST, ROOM 201
EUFAULA, AL 36027
(334)687-1515

RETURN ON SERVICE:

() CERTIFIED MAIL RETURN RECEIPT IN THIS OFFICE ON (DATE) _____
(RETURN RECEIPT HERETO ATTACHED)

() I CERTIFY THAT I PERSONALLY DELIVERED A COPY OF THE SUMMONS AND COMPLAINT TO _____

IN _____ COUNTY, ALABAMA ON (DATE) _____

DATE

SERVER SIGNATURE

SERVER ADDRESS

TYPE OF PROCESS SERVER

OPERATOR: DEH
PREPARED: 03/08/2006

ELLA JANE McCRAY,

PLAINTIFF,

VS.

CITY OF EUFAULA, BARBOUR COUNTY, ALABAMA; STEVE HANNERS, Police Officer With the City of Eufaula, Barbour County, Alabama, Individually and as Agent and Employee of The City of Eufaula Police Department; DAVID DEBOSE, Police Officer With the City of Eufaula, Barbour County, Alabama, Individually and as Agent and Employee of The City of Eufaula Police Department; and CITY OF EUFAULA POLICE OFFICERS 1, 2, 3 WHOSE TRUE IDENTITIES ARE OTHERWISE UNKNOWN AND WILL BE ADDED BY AMENDMENT WHEN ASCERTAINED, Individually and as police officers and agents of the City of Eufaula,

DEFENDANTS.

*** IN THE CIRCUIT COURT OF**

*** BARBOUR COUNTY, ALABAMA**

* CASE NO.: CV 2006-35

FILED
MAR 07 2006
DAVID S. NIX, CLERK
BARBOUR CO. ALABAMA

COMPLAINT

COMES NOW the Plaintiff, ELLA JANE McCRAY, by and through his undersigned counsel,
Benjamin E. Meredith, and represents unto this Honorable Court as follows:

JURISDICTION

1. Plaintiff, ELLA McCRAY, is over the age of twenty-one years, a resident citizen of Barbour County, Alabama AND is subject to the jurisdiction of this Court.
2. Defendant, THE CITY OF EUFAULA, is a Municipal Corporation located in Barbour County, Alabama AND is subject to the jurisdiction of this Court.
3. Defendant, STEVE HANNERS, is over the age of twenty-one years, was an employee

and/or agent of The City of Eufaula on March 16, 2004, AND is subject to the jurisdiction of this Court.

4. Defendant, DAVID DEBOSE, is over the age of twenty-one years, was an employee and/or agent of the City of Eufaula on March 16, 2004, AND is subject to the jurisdiction of this Court.

FACTUAL ALLEGATIONS

5. On or about March 16, 2004, the Eufaula Police Department made a telephone call to the residence of the Plaintiff herein. The Defendants did not identify themselves as the Eufaula Police Department and asked if Tonya McCray lived at the Plaintiff's residence. The Plaintiff responded "no" and hung up the telephone.

6. Approximately ten (10) to fifteen (15) minutes later, the Eufaula Police Department made another telephone call to the residence of the Plaintiff herein. Again, the Defendants did not identify themselves as the Eufaula Police Department and asked for Tonya McCray and then asked if they were calling the McCray's residence.

7. Approximately ten (10) to fifteen (15) minutes later, the Eufaula Police Department made another telephone call to the residence of the Plaintiff herein. Again, the Defendants did not identify themselves as the Eufaula Police Department. The Defendants asked for Ashley McCray and informed the Plaintiff herein that they had a package for Ashley McCray. The Plaintiff herein informed Defendants that Ashley McCray was her son and that they could bring the package to her. Defendants then informed the Plaintiff herein that she could not sign for the package.

8. Approximately ten (10) to fifteen (15) minutes later, the Eufaula Police Department made another telephone call to the residence of the Plaintiff herein. The Eufaula Police Department identified themselves as employees of the United Parcel Service (UPS) and informed the Plaintiff that

she could in fact sign for the package for her son and that they would bring the package to her. The Eufaula Police Department further informed the Plaintiff that they would be in a white pick-up truck as opposed to a brown UPS truck.

9. Officer Steve Hanners and Officer David Debose of the Eufaula Police Department arrived at the residence of Plaintiff carrying a package and a paper. Officer Steve Hanners and Officer David Debose asked the Plaintiff to sign for the package, which she did. Upon signing for said package, the Plaintiff was placed under arrest for possession of marijuana.

10. The Plaintiff filed her Verified Notice/Petition of Claim with Mayor of Eufaula, Jay Jaxon, Jr., on September 24, 2004 in compliance to and in accordance with Section 11-47-23 and Section 11-47-192, Code of Alabama, 1975. A copy of said Verified Notice/Petition of Claim is attached hereto as Exhibit 1.

COUNT ONE

11. Plaintiff realleges paragraphs 1 through 10 and hereby incorporates them into this Count One as if fully set out herein.

12. On or about March 16, 2004, Defendant, STEVE HANNERS, acting within the line and scope of his employment as a police officer with the City of Eufaula, and as agent of the City of Eufaula, went to the home of Ella McCray, without a warrant and without probable cause, and carelessly, unskillfully, negligently and/or wantonly, unlawfully arrested Ella McCray, the Plaintiff herein.

13. Defendant, STEVE HANNERS, actively participated in the unlawful arrest of Plaintiff and had knowledge of the facts relating to the wrongful arrest of Plaintiff and failed to take reasonable action to prevent the wrongful arrest of Plaintiff.

14. As a proximate result of Defendant, STEVE HANNERS', negligence and/or

wantonness, carelessness and unskillfulness, Plaintiff's civil rights were violated and she was deprived of her rights, privileges and/or immunities secured by the Constitution of the United States, 42 USC Section 1983, and the Constitution of the State of Alabama.

WHEREFORE, ELLA McCRAY, demands judgment against Defendant, STEVE HANNERS, for such sums of compensatory and punitive damages as the jury may assess plus costs.

COUNT TWO

15. Plaintiff realleges paragraphs 1 through 14 and incorporates them as if fully set out herein.

16. On or about March 16, 2004, Defendant, STEVE HANNERS, acting within the line and scope of his employment as a police officer with the City of Eufaula, and as agent of the City of Eufaula, went to the home of Ella McCray, without a warrant and without probable cause, and carelessly, unskillfully, negligently and/or wantonly, unlawfully imprisoned Ella McCray, the Plaintiff herein.

17. Defendant, STEVE HANNERS, actively participated in the unlawful imprisonment of Plaintiff and had knowledge of the facts relating to the wrongful imprisonment of Plaintiff and failed to take reasonable action to prevent the wrongful imprisonment of Plaintiff.

18. As a proximate result of Defendant, STEVE HANNERS', negligence and/or wantonness, carelessness and unskillfulness, Plaintiff's civil rights were violated and she was deprived of her rights, privileges and/or immunities secured by the Constitution of the United States, 42 USC Section 1983, and the Constitution of the State of Alabama.

WHEREFORE, ELLA McCRAY, demands judgment against Defendant, STEVE HANNERS, for such sums of compensatory and punitive damages as the jury may assess plus costs.

COUNT THREE

19. Plaintiff realleges paragraphs 1 through 18 and incorporates them as if fully set out herein.

20. On or about March 16, 2004, Defendant, STEVE HANNERS, acting within the line and scope of his employment as a police officer with the City of Eufaula, Alabama, and as an agent of the City of Eufaula, Alabama, and while having unlawfully arrested and imprisoned Plaintiff, did carelessly, unskillfully, negligently and/or wantonly inflict upon the Plaintiff, extreme emotional distress.

21. Defendant, STEVE HANNERS, directly inflicted emotional distress upon the Plaintiff by having knowledge of and participating in the wrongful arrest and imprisonment of the Plaintiff and by failing to take reasonable action to prevent the emotional distress inflicted upon Plaintiff.

22. As a proximate cause of Defendant, STEVE HANNERS', negligence and/or wantonness, carelessness and unskillfulness, Plaintiff suffered embarrassment, worry, sleeplessness and depression.

WHEREFORE, Plaintiff demands judgment against Defendant, STEVE HANNERS, for such sums of compensatory and punitive damages as the jury may assess plus costs.

COUNT FOUR

23. Plaintiff realleges paragraphs 1 through 22 and incorporates them as if fully set out herein.

24. On or about March 16, 2004, Defendant, STEVE HANNERS, acting within the line and scope of his employment as a police officer with the City of Eufaula, Alabama, and as an agent of the City of Eufaula, Alabama, and while having unlawfully arrested and imprisoned Plaintiff, did carelessly, unskillfully, negligently and/or wantonly inflict upon the Plaintiff, extreme emotional distress.

25. Defendant, STEVE HANNERS, directly inflicted emotional distress upon the Plaintiff by having knowledge of and participating in the wrongful arrest and imprisonment of the Plaintiff and by failing to take reasonable action to prevent the emotional distress inflicted upon Plaintiff.

26. Defendant, STEVE HANNERS', actions toward Plaintiff were so outrageous in character, and so extreme in degree as to go beyond all possible bounds of decency, and are atrocious and utterly intolerable in a civilized society.

27. The emotional distress that Defendant, STEVE HANNERS, caused Plaintiff to suffer was so severe that no reasonable person could be expected to endure it.

28. As a proximate cause of Defendant, STEVE HANNERS', negligence and/or wantonness, carelessness and unskillfulness, Plaintiff suffered embarrassment, worry, sleeplessness and depression.

WHEREFORE, Plaintiff demands judgment against Defendant, STEVE HANNERS, for such sums of compensatory and punitive damages as the jury may assess plus costs.

COUNT FIVE

29. Plaintiff realleges paragraphs 1 through 28 and hereby incorporates them into this Count One as if fully set out herein.

30. On or about March 16, 2004, Defendant, DAVID DEBOSE, acting within the line and scope of his employment as a police officer with the City of Eufaula, and as agent of the City of Eufaula, went to the home of Ella McCray, without a warrant and without probable cause, and carelessly, unskillfully, negligently and/or wantonly, unlawfully arrested Ella McCray, the Plaintiff herein.

31. Defendant, DAVID DEBOSE, actively participated in the unlawful arrest of Plaintiff and had knowledge of the facts relating to the wrongful arrest of Plaintiff and failed to take reasonable

action to prevent the wrongful arrest of Plaintiff.

32. As a proximate result of Defendant, DAVID DEBOSE'S, negligence and/or wantonness, carelessness and unskillfulness, Plaintiff's civil rights were violated and she was deprived of her rights, privileges and/or immunities secured by the Constitution of the United States, 42 USC. Section 1983, and the Constitution of the State of Alabama.

WHEREFORE, ELLA McCRAY, demands judgment against Defendant, DAVID DEBOSE, for such sums of compensatory and punitive damages as the jury may assess plus costs.

COUNT SIX

33. Plaintiff realleges paragraphs 1 through 32 and incorporates them as if fully set out herein.

34. On or about March 16, 2004, Defendant, DAVID DEBOSE, acting within the line and scope of his employment as a police officer with the City of Eufaula, and as agent of the City of Eufaula, went to the home of Ella McCray, without a warrant and without probable cause, and carelessly, unskillfully, negligently and/or wantonly, unlawfully imprisoned Ella McCray, the Plaintiff herein.

35. Defendant, DAVID DEBOSE, actively participated in the unlawful imprisonment of Plaintiff and had knowledge of the facts relating to the wrongful imprisonment of Plaintiff and failed to take reasonable action to prevent the wrongful imprisonment of Plaintiff.

36. As a proximate result of Defendant, DAVID DEBOSE'S, negligence and/or wantonness, carelessness and unskillfulness, Plaintiff's civil rights were violated and she was deprived of her rights, privileges and/or immunities secured by the Constitution of the United States, 42 USC Section 1983, and the Constitution of the State of Alabama.

WHEREFORE, ELLA McCRAY, demands judgment against Defendant, DAVID DEBOSE, for such sums of compensatory and punitive damages as the jury may assess plus costs.

COUNT SEVEN

37. Plaintiff realleges paragraphs 1 through 36 and incorporates them as if fully set out herein.

38. On or about March 16, 2004, Defendant, DAVID DEBOSE, acting within the line and scope of his employment as a police officer with the City of Eufaula, Alabama, and as an agent of the City of Eufaula, Alabama, and while having unlawfully arrested and imprisoned Plaintiff, did carelessly, unskillfully, negligently and/or wantonly inflict upon the Plaintiff, extreme emotional distress.

39. Defendant, DAVID DEBOSE, directly inflicted emotional distress upon the Plaintiff by having knowledge of and participating in the wrongful arrest and imprisonment of the Plaintiff and by failing to take reasonable action to prevent the emotional distress inflicted upon Plaintiff.

40. As a proximate cause of Defendant, DAVID DEBOSE'S, negligence and/or wantonness, carelessness and unskillfulness, Plaintiff suffered embarrassment, worry, sleeplessness and depression.

WHEREFORE, Plaintiff demands judgment against Defendant, DEBOSE, for such sums of compensatory and punitive damages as the jury may assess plus costs.

COUNT EIGHT

41. Plaintiff realleges paragraphs 1 through 40 and incorporates them as if fully set out herein.

42. On or about March 16, 2004, Defendant, DAVID DEBOSE, acting within the line and scope of his employment as a police officer with the City of Eufaula, Alabama, and as an agent of

the City of Eufaula, Alabama, and while having unlawfully arrested and imprisoned Plaintiff, did carelessly, unskillfully, negligently and/or wantonly inflict upon the Plaintiff, extreme emotional distress.

43. Defendant, DAVID DEBOSE, directly inflicted emotional distress upon the Plaintiff by having knowledge of and participating in the wrongful arrest and imprisonment of the Plaintiff and by failing to take reasonable action to prevent the emotional distress inflicted upon Plaintiff.

44. Defendant, DAVID DEBOSE'S, actions toward Plaintiff were so outrageous in character, and so extreme in degree as to go beyond all possible bounds of decency, and are atrocious and utterly intolerable in a civilized society.

45. The emotional distress that Defendant, DAVID DEBOSE, caused Plaintiff to suffer was so severe that no reasonable person could be expected to endure it.

46. As a proximate cause of Defendant, DAVID DEBOSE'S, negligence and/or wantonness, carelessness and unskillfulness, Plaintiff suffered embarrassment, worry, sleeplessness and depression.

WHEREFORE, Plaintiff demands judgment against Defendant, DAVID DEBOSE, for such sums of compensatory and punitive damages as the jury may assess plus costs.

COUNT NINE

47. Plaintiff realleges paragraphs 1 through 46 and incorporates them as if fully set out herein.

48. Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, whose true identities are otherwise unknown and will be added by amendment when ascertained, acting within the line and scope of his employment as a police officer with the City of Eufaula, and as agent of the City of Eufaula, went to the home of Ella McCray, without a warrant and without probable cause, and

carelessly, unskillfully, negligently and/or wantonly, unlawfully arrested Ella McCray, the Plaintiff herein.

49. Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, actively participated in the unlawful arrest of Plaintiff and had knowledge of the facts relating to the wrongful arrest of Plaintiff and failed to take reasonable action to prevent the wrongful arrest of Plaintiff.

50. As a proximate result of Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, negligence and/or wantonness, carelessness and unskillfulness, Plaintiff's civil rights were violated and she was deprived of her rights, privileges and/or immunities secured by the Constitution of the United States, 42 USC Section 1983, and the Constitution of the State of Alabama.

WHEREFORE, ELLA McCRAY, demands judgment against Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, for such sums of compensatory and punitive damages as the jury may assess plus costs.

COUNT TEN

51. Plaintiff realleges paragraphs 1 through 50 and incorporates them as if fully set out herein.

52. On or about March 16, 2004, Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, acting within the line and scope of his employment as a police officer with the City of Eufaula, and as agent of the City of Eufaula, went to the home of Ella McCray, without a warrant and without probable cause, and carelessly, unskillfully, negligently and/or wantonly, unlawfully imprisoned Ella McCray, the Plaintiff herein.

53. Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, actively participated in the unlawful imprisonment of Plaintiff and had knowledge of the facts relating to the wrongful imprisonment of Plaintiff and failed to take reasonable action to prevent the wrongful imprisonment of Plaintiff.

54. As a proximate result of Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, negligence and/or wantonness, carelessness and unskillfulness, Plaintiff's civil rights were violated and she was deprived of her rights, privileges and/or immunities secured by the Constitution of the United States, 42 USC Section 1983, and the Constitution of the State of Alabama.

WHEREFORE, ELLA McCRAY, demands judgment against Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, for such sums of compensatory and punitive damages as the jury may assess plus costs.

COUNT ELEVEN

55. Plaintiff realleges paragraphs 1 through 54 and incorporates them as if fully set out herein.

56. On or about March 16, 2004, Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, acting within the line and scope of his employment as a police officer with the City of Eufaula, Alabama, and as an agent of the City of Eufaula, Alabama, and while having unlawfully arrested and imprisoned Plaintiff, did carelessly, unskillfully, negligently and/or wantonly inflict upon the Plaintiff, extreme emotional distress.

57. Defendant, EUFAULE POLICE OFFICERS 1, 2, 3, directly inflicted emotional distress upon the Plaintiff by having knowledge of and participating in the wrongful arrest and imprisonment of the Plaintiff and by failing to take reasonable action to prevent the emotional distress inflicted upon Plaintiff.

58. As a proximate cause of Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, negligence and/or wantonness, carelessness and unskillfulness, Plaintiff suffered embarrassment, worry, sleeplessness and depression.

WHEREFORE, Plaintiff demands judgment against Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, for such sums of compensatory and punitive damages as the jury mas assess plus costs.

COUNT TWELVE

59. Plaintiff realleges paragraphs 1 through 58 and incorporates them as if fully set out herein.

60. On or about March 16, 2004, Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, acting within the line and scope of his employment as a police officer with the City of Eufaula, Alabama, and as an agent of the City of Eufaula, Alabama, and while having unlawfully arrested and imprisoned Plaintiff, did carelessly, unskillfully, negligently and/or wantonly inflict upon the Plaintiff, extreme emotional distress.

61. Defendant, EUFAULA POLICE OFICERS 1, 2, 3, directly inflicted emotional distress upon the Plaintiff by having knowledge of and participating in the wrongful arrest and imprisonment of the Plaintiff and by failing to take reasonable action to prevent the emotional distress inflicted upon Plaintiff.

62. Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, actions toward Plaintiff were so outrageous in character, and so extreme in degree as to go beyond all possible bounds of decency, and are atrocious and utterly intolerable in a civilized society.

63. The emotional distress that Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, caused Plaintiff to suffer was so severe that no reasonable person could be expected to endure it.

64. As a proximate cause of Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, negligence and/or wantonness, carelessness and unskillfulness, Plaintiff suffered embarrassment, worry,

sleeplessness and depression.

WHEREFORE, Plaintiff demands judgment against Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, for such sums of compensatory and punitive damages as the jury may assess plus costs

COUNT THIRTEEN

65. Plaintiff realleges Plaintiff realleges paragraphs 1 through 64 and incorporates them as if fully set out herein.

66. Defendant, CITY OF EUFAULA, employed Defendants STEVE HANNERS, DAVID DEBOSE and EUFAULA POLICE OFFICERS 1, 2, 3.

67. The negligent, careless and unskilled acts of Defendants, STEVE HANNERS, DAVID DEBOSE, and fictitious Defendants, EUFAULA POLICE OFFICERS 1, 2, 3, were committed while the aforementioned Defendants were employed by the City of Eufaula and the Eufaula Police Department and acting within the line and scope of their employment, their agency and/or their apparent authority with the City of Eufaula.

68. Defendant, CITY OF EUFAULA, negligently supervised and/or trained STEVE HANNERS, DAVID DEBOSE and fictitious Defendant POLICE OFFICERS 1, 2, 3, by negligently failing to require, implement, promulgate or provide adequate policies for its officers to follow in the execution of their duties.

69. As a proximate result of the CITY OF EUFAULA's negligent supervision and/or training, ELLA McCRAY was unlawfully arrested, unlawfully imprisoned, caused to suffer severe emotional distress, and her civil rights were violated in that she was deprived of her rights, privileges, and/or immunities secured by the Fourth and Fourteenth Amendments to the Constitution of the United

States, 42 USC Section 1983, and the Constitution of the State of Alabama.

WHEREFORE, Plaintiff demands judgment against the Defendant, CITY OF EUFAULA, for such sums of compensatory and punitive damages as the jury may assess plus costs.

COUNT FOURTEEN

70. Plaintiff realleges Plaintiff realleges paragraphs 1 through 69 and incorporates them as if fully set out herein.

71. Defendant, STEVE HANNERS, acting outside the scope of his employment with the Eufaula Police Department did unlawfully arrest and imprison Plaintiff or did cause Plaintiff to be unlawfully arrested and imprisoned.

72. As a proximate result of STEVE HANNERS having falsely arrested and imprisoned Plaintiff, she was caused to suffer embarrassment, humiliation, worry, sleeplessness and depression.

WHEREFORE, Plaintiff demands judgment against Defendant, STEVE HANNERS, for such sums of compensatory and punitive damages as the jury may assess plus costs.

COUNT FIFTEEN

73. Plaintiff realleges Plaintiff realleges paragraphs 1 through 72 and incorporates them as if fully set out herein.

74. Defendant, DAVID DEBOSE, acting outside the scope of his employment with the Eufaula Police Department did unlawfully arrest and imprison Plaintiff or did cause Plaintiff to be unlawfully arrested and imprisoned.

75. As a proximate result of DAVID DEBOSE having falsely arrested and imprisoned Plaintiff, she was caused to suffer embarrassment, humiliation, worry, sleeplessness and depression.

WHEREFORE, Plaintiff demands judgment against Defendant, DAVID DEBOSE, for such

sums of compensatory and punitive damages as the jury may assess plus costs.

COUNT SIXTEEN

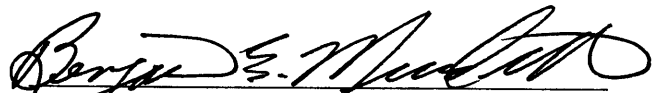
76. Plaintiff realleges Plaintiff realleges paragraphs 1 through 75 and incorporates them as if fully set out herein.

77. Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, acting outside the scope of his employment with the Eufaula Police Department did unlawfully arrest and imprison Plaintiff or did cause Plaintiff to be unlawfully arrested and imprisoned.

78. As a proximate result of EUFAULA POLICE OFFICERS 1, 2, 3, having falsely arrested and imprisoned Plaintiff, she was caused to suffer embarrassment, humiliation, worry, sleeplessness and depression.

WHEREFORE, Plaintiff demands judgment against Defendant, EUFAULA POLICE OFFICERS 1, 2, 3, for such sums of compensatory and punitive damages as the jury may assess plus costs.

RESPECTFULLY SUBMITTED this the 7th day of March, 2006.



Benjamin E. Meredith(MER015)

Attorney for Plaintiff


707 West Main Street

Dothan, Alabama 36301

(334) 671-0289

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury.


Benjamin E. Meredith(MER015)
Attorney for Plaintiff

Serve Defendants at:

City of Eufaula
Joy White, City Clerk
205 East Barbour Street
Eufaula,, Alabama 36072

Steve Hanners
c/o Eufaula Police Department
545 East Barbour Street
Eufaula, Alabama 36072-0219

David Debose
c/o Eufaula Police Department
545 East Barbour Street
Eufaula, Alabama 36072-0219

TO: Jay Jaxon, Jr., Mayor
City of Eufaula
Barbour County, Alabama

VERIFIED NOTICE/PETITION OF CLAIM

Comes now ELLA JANE McCRAY, the Claimant, and submits here Verified Notice/Petition of Claim for damages which she has been caused to suffer as a result of the negligence of the City of Eufaula and/or its agents, as required by The Code of Alabama, 1975 Edition, Sections 11-47-23, 11-47-190, 11-47-192, 11-93-1 and 11-93-2.

On March 16, 2004 the Eufaula Police Department called my home, without identifying themselves as police officers, and asked if Tonya McCray lived there. I told them no and hung up the phone. Approximately ten to fifteen minutes later, they called back and asked me the same thing and if I was at the McCray residence. I informed them that it was in fact the McCray residence but that I didn't know Tonya McCray and I hung up the phone. Approximately ten to fifteen minutes later, they called back and asked if I knew Ashley McCray. I told them that Ashley was my son. They then informed me that they had a package for Ashley. I told them to bring the package and that I would sign for it. They told me that I could not sign for the package. Approximately five to ten minutes later, they called back and told me that they were with UPS and that I could sign for the package and that they would bring the package but would be in a white truck as opposed to the UPS truck. When they arrived, the officers (Officer Hannah and Officer Debose) had a package and a paper. I signed the paper and was then placed under arrest for possession of marijuana. I asked why I was being arrested and was told that it was because I signed for the package. I was then asked if I knew what was in the package and I told them no. I went to court on April 6, 2004, and the charges were dismissed.

As a proximate result of the negligence of the City of Eufaula and/or its servants and/or agents,

I was caused to suffer personal injury and other damages. I was arrested under false pretenses, falsely imprisoned, had my name published in the newspaper as being arrested and now have a record of my arrest that can not be erased.

I request payment in the amount of one million dollars for my mental anguish and pain and suffering which I have had to endure and which was proximately caused by the negligence of the City of Eufaula, and/or its servants and/or agents.

DONE this the 24th day of September, 2004.

ELLA JANE McCRAY
ELLA JANE McCRAY

SWORN and subscribed before me on this the 24th day of September, 2004.

Carol Mathis
Notary Public
My Commission Expires: 5/22/06

I, ELLA JANE McCRAY, am represented in this matter by Benjamin E. Meredith, Attorney at Law, 707 West Main Street, Dothan, Alabama 36301, and all correspondence concerning this claim should be directed to his office.

ELLA JANE McCRAY
ELLA JANE McCRAY

STATE OF ALABAMA)

COUNTY OF HOUSTON)

AFFIDAVIT OF ELLA JANE McCRAY VERIFYING CLAIM
AGAINST THE CITY OF DOTHAN

I, Ella Jane McCray, as Claimant, do hereby swear that I have personal knowledge of the facts on which this claim is based and that the facts and claims stated in the Verified Notice/Petition of Claim filed contemporaneously herewith on behalf of myself, are true to the best of my knowledge and belief.

Ella Jane McCRAY
ELLA JANE McCRAY

STATE OF ALABAMA)

COUNTY OF HOUSTON)

Before me, the undersigned officer duly authorized to administer oaths, personally appeared Ella Jane McCray, who upon oath swears that the foregoing facts are true and correct.

DATED this the 24th day of September, 2004.

Carol Mathis
Notary Public
My Commission Expires: 5/22/04

I hereby certify that a copy of Ella Jane McCray's Verified Notice/Petition of Claim was received by the Office of Jay Jaxon, Jr., Mayor of Eufaula, Alabama on this the 24th day of September, 2004.

9-24-04
Date

Jay White
Signature

State of Alabama Unified Judicial System Form ARCiv-93 Rev. 5/99	COVER SHEET CIRCUIT COURT – CIVIL CASE (Not For Domestic Relations Cases)	Case Number <input checked="" type="checkbox"/> C <input type="checkbox"/> V -
		Date of Filing: Judge Code: <div style="display: flex; justify-content: space-between;"> <div> </div> <div> </div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> Month Day Year </div>
GENERAL INFORMATION		
IN THE CIRCUIT COURT OF <u>Barbour</u> , ALABAMA <div style="display: flex; justify-content: space-between;"> <div> <u>Ella Jane McCray</u> Plaintiff <input type="checkbox"/> Business <input checked="" type="checkbox"/> Individual <input type="checkbox"/> Government <input type="checkbox"/> Other </div> <div> v. <u>City of Eufaula, et al</u> Defendant <input type="checkbox"/> Business <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Government <input type="checkbox"/> Other </div> </div>		
NATURE OF SUIT: Select primary cause of action, by checking box (check only one) the best characterizes your action:		
TORTS: PERSONAL INJURY <input type="checkbox"/> WDEA - Wrongful Death <input checked="" type="checkbox"/> TONG - Negligence: General <input checked="" type="checkbox"/> TOMV - Negligence: Motor Vehicle <input type="checkbox"/> TOWA - Wantonness <input type="checkbox"/> TOPL - Product Liability/AEMLD <input type="checkbox"/> TOMM - Malpractice-Medical <input type="checkbox"/> TOLM - Malpractice-Legal <input type="checkbox"/> TOOM - Malpractice-Other <input type="checkbox"/> TBFM - Fraud/Bad Faith/Misrepresentation <input type="checkbox"/> TOXX - Other: _____ TORTS: PERSONAL INJURY <input type="checkbox"/> TOPE - Personal Property <input type="checkbox"/> TORE - Real Property OTHER CIVIL FILINGS <input type="checkbox"/> ABAN - Abandoned Automobile <input type="checkbox"/> ACCT - Account & Nonmortgage <input type="checkbox"/> APAA - Administrative Agency Appeal <input type="checkbox"/> ADPA - Administrative Procedure Act <input type="checkbox"/> ANPS - Adults in Need of Protective Services	OTHER CIVIL FILINGS (cont'd) <input type="checkbox"/> MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/ Enforcement of Agency Subpoena/Petition to Preserve <input type="checkbox"/> CVRT - Civil Rights <input type="checkbox"/> COND - Condemnation/Eminent Domain/Right-of-Way <input type="checkbox"/> CTMP - Contempt of Court <input type="checkbox"/> CONT - Contract/Ejectment/Writ of Seizure <input type="checkbox"/> TOCN - Conversion <input type="checkbox"/> EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale For Division <input type="checkbox"/> CVUD - Eviction Appeal/Unlawful Detainer <input type="checkbox"/> FORJ - Foreign Judgment <input type="checkbox"/> FORF - Fruits of Crime Forfeiture <input type="checkbox"/> MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition <input type="checkbox"/> PFAB - Protection From Abuse <input type="checkbox"/> FELA - Railroad/Seaman (FELA) <input type="checkbox"/> RPRO - Real Property <input type="checkbox"/> WTEG - Will/Trust/Estate/Guardianship/Conservatorship <input type="checkbox"/> COMP - Workers' Compensation <input type="checkbox"/> CVXX - Miscellaneous Circuit Civil Case	
<div style="display: flex; justify-content: space-between;"> <div> ORIGIN (check one): <input checked="" type="checkbox"/> INITIAL FILING <input type="checkbox"/> REMANDED </div> <div> <input type="checkbox"/> APPEAL FROM DISTRICT COURT <input type="checkbox"/> TRANSFERRED FROM OTHER CIRCUIT COURT </div> <div> <input type="checkbox"/> OTHER: <u>MAR 07 2006</u> <u>DAVID S. NIX, CLERK</u> <u>BARBOUR CO. ALABAMA</u> </div> </div>		
HAS JURY TRIAL BEEN DEMANDED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <small>Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P., for procedure)</small>		
RELIEF REQUESTED: <input checked="" type="checkbox"/> MONETARY AWARD REQUESTED <input type="checkbox"/> NO MONETARY AWARD REQUESTED		
ATTORNEY CODE: <div style="display: flex; justify-content: space-between;"> <div> M E R O I S </div> <div> <u>03/07/06</u> Date </div> <div> <u>Benjamin E. Meredith</u> Signature of Attorney/Party filing this form </div> </div>		
MEDIATION REQUESTED: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNDECIDED		